IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 17063 of 2007(F)

PETITIONER:

KANJIRAMKULAM SERVICE CO-OPERATIVE BANK LTD. NO.3970, KANJIRAMKULAM P.O., THIRUVANANTHAPURAM DIST., REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.J.S.AJITHKUMAR

RESPONDENTS:

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1. LALI VARGHESE, RESIDING AT LALIVIHAR, PLANTHOTTAM, THIRUPULAM P.O., THIRUVANANTHAPURAM.

2. CO-OPERATIVE ARBITRATION COURT, THIRUVANANTHAPURAM.

R1 BY ADV. SHRI GEORGE POONTHOTTAM.

R2 BY GOVERNMENT PLEADER (SHRI P. N. SANTHOSH)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 17063 OF 2007 F

Dated this the 8th June, 2007

JUDGMENT

Petitioner challenges Ext.P8. Ext.P8 is an order passed by the Co-Operative Arbitration Court granting interim order which reads as follows:

> *" Interim stay granted restraining the Counter Petitioners/Respondents from proceeding with the disciplinary action including the domestic enquiry against the Petitioner/Plaintiff on any charge memo until hearing this I.A."*

2. Heard the learned counsel appearing for the petitioner and the learned counsel for the first respondent besides the learned Government Pleader. Counsel for petitioner Bank submits that Ext.P8 is without jurisdiction. He would also submit that an Award is not being passed despite the fact that the matter was posted on three times. It is further stated that the case is posted for orders on 3.7.2007. I feel that, in the facts and circumstances of this case, there should be a direction to the

second respondent to pass an Award on 3.7.2007 itself. In such circumstances, the Writ Petition is disposed of directing the second respondent to pass an Award in ARC No.37/06 on 3.7.2007. I need not go into the validity of Ext.P8, in view of the decision of mine.

K. M. JOSEPH, JUDGE

kbk.